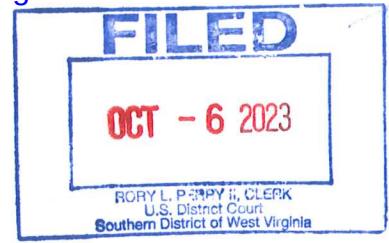


IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION



JOHN ANTHONY CASTRO,  
**Plaintiff**,  
vs.  
SECRETARY OF STATE  
ANDREW WARNER, and  
DONALD JOHN TRUMP,  
**Defendants**.  
WEST VIRGINIA REPUBLICAN PARTY,  
**Intervenor**.

PRO SE AMICUS CURIAE

PRO SE IS AN ELIGBLE VOTER A NATURAL BORN CITIZEN OF THE UNITED STATES AND CURRENTLY A RESIDENT OF THE STATE OF WEST VIRGINIA.

As such PRO SE has the 9<sup>th</sup> right of choice to execize the 1<sup>st</sup> right to redress.  
PRO SE hereby execrcises both to aid and help the court in this matter.

<https://docs.house.gov/meetings/GO/GO00/20220929/115171/HHRG-117-GO00-20220929-SD010.pdf>

Page XLVII THE DECLARATION OF INDEPENDENCE—1776

Maryland

SAMUEL CHASE, CHARLES CARROLL OF WM. PACA, Carrollton. THOS. STONE,

FOUNDING FATHER and SIGNER SCOTUS JUSTICE CHASE ajudicated and defined the following,

APRIL 29, 1800.

CASE OF FRIES. [Whart. St. Tr. 610.]

TREASON AGAINST UNITED STATES DEFINED—INSURRECTION TO RESIST EXECUTION OF A LAW—INTENT—NUMBERS ENGAGED—PRINCIPAL AND ACCESSORY.

[1. An insurrection or rising of any body of the people to resist, or to prevent by force or violence, the execution of any statute of the United States for levying or collecting taxes, duties, imposts, or excises, or for calling forth the militia to execute the laws of the Union, or for any other object of a general nature or national concern, under any pretence, as that the statute is unjust, burthensome, oppressive, or unconstitutional, is “levying war” against the United States within the contemplation and construction of the constitution.]

[2. The assembling of bodies of men, armed and arrayed in a warlike manner, for purposes only of a private nature, is not treason, although the judges or other peace officers should be insulted or resisted, or even great outrages committed to the persons or property of citizens.]

[3. The true criterion is the intention with which the people assembled. When the intention is universal general, as to effect some object of a general public nature, it will be treason, and cannot be considered, construed, or reduced to riot. On the other hand, the commission of any number of felonies, riots, or misdemeanors cannot alter their nature so as to make them amount to treason.]

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[4. If a body of people conspire and meditate an *insurrection* to resist or oppose the execution of any statute of the United States by force, they are only guilty of a high misdemeanor; but if they proceed to carry such intention into execution by force, they are guilty of the treason of levying war, and the quantum of force employed neither lessens nor increases the crime; whether by 100 or 1,000 persons is wholly immaterial.]

[5. There are no accessories to the crime of treason; but all the particeps criminis are principals. All persons present, aiding, assisting, or abetting any treasonable act, or who are present, countenancing, and are ready to afford assistance, if necessary, to those committing a treasonable act, are principals.]

[6. If a man joins and acts with an assembly of people, his intent is always to be considered and adjudged to be the same as theirs; and the law judges of the intent by the fact.]

STATE OF MICHIGAN IN THE COURT OF CLAIMS  
ROBERT LaBRANT, ANDREW BRADWAY,  
NORAH MURPHY, and WILLIAM NOWLING,

**Plaintiffs' INTRODUCTION**

6. The events of January 6, 2021 amounted to an *insurrection* or a rebellion under Section 3: a violent, coordinated effort to storm the Capitol to obstruct and prevent the Vice President of the United States and the United States Congress from fulfilling their constitutional roles by certifying President Biden's victory, and to illegally extend then-President Trump's tenure in office. [syl 1]

24. The *insurrection* defeated the forces of civilian law enforcement; forced the United States Congress to go into recess; stopped the essential constitutional process of certifying electoral votes; forced the Vice President, Senators, Representatives, and staffers into hiding; occupied the United States Capitol, a feat never achieved by the Confederate rebellion; held the Capitol for hours until reinforcements could arrive; and blocked the peaceful transition of power in the United States of America, another feat never achieved by the Confederate rebellion. [syl 1]

10. An individual need not personally commit an act of violence to have "engaged" in *insurrection*. *Powell*, 27 F. Cas. at 607 (defendant paid to avoid serving in Confederate Army); *Worthy*, 63 N.C. at 203 (defendant simply served as county sheriff). Indeed, Jefferson Davis—the president of the Confederacy—never fired a shot. [syl 5]

**Side bar**

the court should order the removal of Jonathan Derrick Evans a felon ineligible to hold any state office  
**6-16. Oath of senators and delegates.** and any member who shall be convicted of having violated the oath last above required to be taken, shall forfeit his seat and be disqualified thereafter from holding any office of profit or trust in this state.

**from the ballot for Candidate, U.S. House West Virginia District 1**

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION  
P.O. Box 2546  
Charleston, WV 25329

John Anthony Castro  
12 Park Place  
Mansfield, Texas 76063

*Joseph L Westfall 10-3-23*  
*Joseph L Westfall*

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JLW*